



NEWARK PUBLIC INFORMATION OFFICE

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NEWARK SENDS BILL TO COUNTY FOR COUNTY PRISONERS IN MUNICIPAL JAILS

Mayor Kenneth A. Gibson, citing overcrowding and increased costs, has submitted a bill of \$1,252,076.40 to Essex County for expenses incurred by the City in housing county prisoners in the city's jails.

In a letter to County Executive Peter Shapiro, Gibson noted that "during the past year, the City of Newark has been forced to retain large numbers of County prisoners within its municipal jail system over a prolonged period of time, due to the failure of Essex County to take custody and control over these inmates."

Under normal circumstances, once a prisoner has been arraigned in municipal court he or she becomes the responsibility of the County and is retained in the County jail to await trial. If the prisoner is then convicted, they either become the responsibility of the State and are transferred to a State penitentiary or, if they have a short-term sentence, are transferred to a County penitentiary. However, in recent years, because of overcrowding in the State facilities, the State has been refusing to take the prisoners, leaving them in County facilities. Gibson stated that this refusal by the State has forced overcrowding to exist in the County facilities necessitating their refusal of additional prisoners from the municipalities.

In explaining the effect of this refusal by the County, Gibson referred to "the horrible conditions in our holding facility because of Essex County's refusal to accept prisoners which are legally and rightfully theirs. We are faced with a severe overcrowding of prisoners, which has forced us at times to house 6 to 7 prisoners to a cell."

While overcrowding is a primary concern for the City, Gibson also referred to the increased costs associated with housing those inmates who should have been transferred to the County jail. "The fiscal costs of housing and feeding so many

inmates for so lengthy period is beginning to wear the City down," Gibson stated. "With all the cutbacks in government, I should not have to remind you how scarce our resources are. Those costs should be equitably proportioned between the City and the County according to the status of the prisoner and duration of his stay," Gibson added.

In determining the rate that should be used in billing the County, Gibson referred to the rate paid by the State to the County for holding prisoners who cannot be immediately transferred to State prison - \$42.95 per prisoner per day - which Gibson noted approximates the City's cost.

The twelve monthly bills which were submitted to the County for reimbursement range from a low of \$21,517.95 for 82 County prisoners and 501 "prisoner/days in custody" for the month of December to a high of \$209,209.45 for 351 County prisoners and 4871 "prisoner/days in custody" for the month of August.

In addition to the bills for 1982, bills are currently being prepared for 1983 and will be forwarded to the County on a monthly basis.

The issue of reimbursement for County prisoners has been raised in a suit by the City against the County, in addition to the issue of the County's refusal to take prisoners after their arraignment. "Because the adverse effects of retaining County prisoners on the City we have decided to proceed with billing the County rather than wait for a judicial resolution of the problem. What we are asking is not unusual --if the County is getting paid for holding State prisoners, then the City should be paid for holding County prisoners," Gibson stated.